

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,
ex rel. SANDRA WAGNER**

Plaintiffs,

v.

**CARE PLUS HOME HEALTH CARE,
L.L.C.
PRASAD ITTY and
KUMAR GOVIND,**

Defendants.

Case No. 15-CV-260-GKF-JFJ

**UNITED STATES' CONSENT TO
DISMISSAL WITHOUT PREJUDICE**

1. This is an action brought under the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730, in which the United States has declined to intervene.

2. In a declined *qui tam* action, the United States remains the real interested party. *U.S. ex rel. Searcy v. Philips Electronics*, 117 F.3d 154 (5th Cir.1997). Accordingly, the action “may be dismissed only if the Court and the Attorney General give written consent to the dismissal and the reasons for consenting.” 31 U.S.C. § 3730(b)(1).

3. Pursuant to 31 U.S.C. § 3730(b)(1), the United States hereby consents to the dismissal of this action brought pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730, as long as it is without prejudice to the United States, having determined that such dismissal is in the best interest of United States.

Date: May 21, 2019.

RESPECTFULLY SUBMITTED,

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/s Marianne Hardcastle

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CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2019, using the ECF System, I caused the foregoing to be electronically transmitted to the Clerk of Court for filing and transmittal of a Notice of Electronic Filing to the ECF registrants.

/s Shawna R. Carter

SHAWNA R. CARTER

Paralegal Specialist